

### REMARKS/ARGUMENTS

By this response, claims 15 and 16 were deleted to reduce the number of issues before the Examiner. Claim 20 was amended to render it more clearly consistent with claim 1. Applicant requests favorable reconsideration of claims 1-11 and 17-34.

Claim Rejections - 35 U.S.C. § 112. The Office Action rejected claims 3, 15-16, and 20-34 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Office Action asserts that the embodiment of claims 3 and 20 is not shown in the drawings or described in the specification. Applicant agrees that some of the features of claims 3 and 20 are not illustrated in the drawings, but Applicant respectfully submits that drawings are not required by one skilled in the art to understand the claimed invention, particularly in view of the description in the specification.

Claim 1 recites several structures, such as an inner shaft part, an outer shaft part, and an internal tube fastened within the outer shaft part which can engage the inner shaft part in telescoping arrangement. Claim 1 does not specify whether the inner shaft is within the internal tube or whether the internal tube is within the inner shaft. Claim 1 recites a locking mechanism comprising an inner tube part and an outer tube part. The inner tube part has a split end. The inner tube part may be "provided by one of the inner shaft part and the internal tube." In other words, the inner tube is provided by either the inner shaft part or the internal tube. The outer tube part is "provided by other of the inner shaft part and the internal tube." In other words, if the inner tube part is provided by the inner shaft part, then the outer tube part is provided by the internal tube; if the inner tube part is provided by the internal tube, then the outer tube part is provided by the inner shaft part. An expander can be drawn into the split end of the inner tube part to cause it to become splayed and to engage the internal surface of the outer tube part.

It will be appreciated that claim 1 is written broadly to cover the embodiment where the internal tube is disposed within the inner shaft and the embodiment where the inner shaft is disposed within the internal tube. An embodiment in which the internal tube is disposed within the inner shaft is illustrated in Figure 2. Figures 6 and 7 illustrate the operation of other embodiments in which the inner tube is provided by the inner shaft. While the embodiments of Figures 6 and 7 do not show an internal tube within the outer shaft part, such a structure is shown in Figure 2.

two  
parts  
with  
same

Claim 3 recites that "the inner shaft has a split end which is received within the internal tube." This feature is disclosed in the specification at page 3, lines 11-14; see also, page 2, line 15; page 3, lines 1-3. As discussed above, the limitation of Claim 3 is perfectly consistent with claim 1. For the Examiner's benefit, enclosed is a sketch comparing embodiments within the scope of claim 2 and claim 3. While Applicant submits that the subject matter of claim 3 is adequately enabled without the need for a separate drawing, if the Examiner believes a new drawing is required illustrating the subject matter of claim 3, please advise the Applicant accordingly. *diagram*

Since claim 20 recites limitations similar to claim 3, for the reasons discussed above, Applicant submits that claim 20 is adequately enabled and consistent with the subject matter of claim 1. Furthermore, claims 21-34, which ultimately depend from claim 20 are also consistent with allowed claim 1 and should be allowable in accordance with 37 C.F.R. 1.141(a).

Election/Restrictions. The Office Action "withdrew" claims 3, 15-16, and 20-34 from further consideration on the grounds that these claims are drawn to a nonelected species and there is no allowable generic claim. As explained above, claim 1 is generic to these claims and claim 1 is allowed. Therefore, Applicant submits that claims 3 and 20-34 are not properly withdrawn, and they should be allowed.

If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,



Evan R. Witt  
Reg. No. 32,512  
Attorney for Applicant

Date: December 4, 2003

MADSON & METCALF  
Gateway Tower West  
15 West South Temple, Suite 900  
Salt Lake City, Utah 84101  
Telephone: 801-537-1700